

Message Text

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PAGE 01 PORT A 02373 012212Z
ACTION ARA-14

INFO OCT-01 ISO-00 AID-05 L-03 DHA-02 CU-02 IGA-02
/029 W

-----031182 012232Z /62

P 012041Z JUL 77

FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC PRIORITY 5404

LIMITED OFFICIAL USE PORT AU PRINCE 2373

PASS TO AID FROM AMBASSADOR

EO 11652 N/A

TAGS: SHUM, SWEL, HA

SUBJECT: PROJECT PROPOSAL: LEGAL ASSISTANCE FOR INDIGENTS

REF: STATE 150238

1. I RAISED WITH JUSTICE MINISTER FIEVRE JULY 1 THE IDEA OF AN AID-SUPPORTED PROJECT TO ASSIST VOLUNTEER THIRD-YEAR LAW STUDENTS AND INTERNS IN PROVIDING LEGAL SERVICES TO INDIGENT PRISONERS BEING HELD FOR OFFENSES UNDER THE JURISDICTION OF THE TRIBUNE CORRECTIONAL. I EXPLAINED THAT WE ENVISAGED A GRANT IN THE \$50,000 - \$100,000 RANGE TO THE JUSTICE MINISTRY FOR THE PURPOSE OF ESTABLISHING A CENTER IN PORT AU PRINCE IN WHICH THESE LAW STUDENTS AND INTERNS COULD DO LEGAL RESEARCH, PREPARE PLEADINGS, AND CONFER WITH THEIR CLIENTS. GRANT FUNDS WOULD BE USED TO BUY OFFICE FURNITURE, EQUIPMENT, RESEARCH MATERIALS, ETC. GOH WOULD BE EXPECTED TO SUPPORT PROJECT WITH FUNDING AFTER AID FUNDS HAVE BEEN EXPENDED. PARTICIPATING STUDENTS AND INTERNS MIGHT ALSO BE ABLE TO HELP JUSTICE MINISTRY PERSONNEL IN EXPEDITING SETTLEMENT OF PEASANT LAND DIS-POSSESSION CASES. PROJECT PAPER WOULD BE SUBMITTED ABOUT SIX MONTHS AFTER JUSTICE MINISTER APPROVED CONCEPT.

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2. FIEVRE'S REACTION WAS IMMEDIATELY POSITIVE. HE SAID THAT AS LAW PROFESSOR HE HAD ALWAYS ENCOURAGED HIS STUDENTS TO GET OFF THEIR CHAIRS AND OBTAIN LEGAL EXPERIENCE EVEN BEFORE RECEIVING THEIR LAW DEGREE. SOME LAW STUDENTS, HE SAID, WERE ALREADY PERFORMING VOLUNTEER LEGAL SERVICES, PARTICULARLY SINCE RESUMPTION OF THE CRIMINAL ASSIZES IN PORT AU PRINCE

THREE YEARS AGO (ASSIZES IN THE PROVINCES HAD NEVER BEEN DISCONTINUED). THE IDEA, FIEVRE SAID, CONFORMED ENTIRELY TO HIS OWN CONCEPTIONS OF A MORE EFFECTIVE ADMINISTRATION OF JUSTICE. HE SUPPORTED THE PROJECT WITH ENTHUSIASM, HE SAID, AND WOULD RECOMMEND PRESIDENT DUVALIER'S APPROVAL.

3. I WELCOMED HIS RESPONSE AND SAID THAT THE PROJECT APPEARED WELL SUITED TO ACCOMPLISH PRESIDENT'S OBJECTIVES OF IMPROVING PUBLIC ADMINISTRATION AND OBSERVING RIGHTS OF MAN, A POLICY REAFFIRMED IN RECENT GOH SUPPORT FOR OASGA HUMAN RIGHTS RESOLUTION (COPY OF WHICH I HANDED FIEVRE -- IT HAS NOT YET BEEN REPRODUCED TEXTUALLY IN PORT AU PRINCE NEWSPAPERS). FIEVRE AGREED. HE PROMISED TO INFORM ME IMMEDIATELY UPON OBTAINING PRESIDENT'S APPROVAL.

4. COMMENT: THIS IS AN AUSPICIOUS START. I THINK DUVALIER WILL GO ALONG WITH HIS MINISTER'S RECOMMENDATION. AS NOTED REFTTEL, WE WILL REQUIRE TWO-FOUR WEEKS TDY ASSISTANCE OF A GC/LA OR REGIONAL LEGAL ADVISOR IN ORDER TO PREPARE PROJECT ONCE PRESIDENT'S APPROVAL IS SECURED. ADVISOR SHOULD BE FLUENT IN FRENCH AND PREFERABLY BE CONVERSANT WITH NAPOLEOINC CODE AS PRACTICES IN OTHER FRANCOPHONE COUNTRIES. AS TO WHETHER GRANT SHOULD BE MADE TO PRIVATE ASSOCIATION OF LAW STUDENTS RATHER THAN TO MINISTRY, THIS WOULD HAVE TO BE EXPLORED CAREFULLY. IF ONGOING GOH FUNDING IS REQUIRED, I DOUBT THAT ASSOCIATION IS APPROPRIATE LIMITED OFFICIAL USE

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VEHICLE, AND IS SUSPECT THAT SUFFICIENT DEGREE OF INDEPENDENCE COULD BE GRADUALLY WON BY VOLUNTEERS UNDER THE GOH'S GENERAL APPROBATION, IF THEY PLAY THEIR CARDS RIGHT. ISHAM

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Disposition Approved on Date:
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Disposition Date: 22 May 2009
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